

**FILED**

December 6, 2002

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF MEDICAL EXAMINERS

**EFFECTIVE**

October 25, 2002  
NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS

In the Matter of:

PETER J. DEMURO, D.O.

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CONSENT ORDER  
REINSTATING  
LICENSURE

This matter was reopened before the New Jersey State Board of Medical Examiners (the "Board") upon the Board's receipt of a petition from respondent Peter J. DeMuro, D.O., seeking reinstatement of his license to practice medicine and surgery in the State of New Jersey, which license respondent surrendered on October 10, 2001 (see Consent Order of Voluntary Surrender of Licensure, filed December 13, 2001). As set forth in the December 13, 2001 Order, respondent had, at the time he surrendered his license, represented through counsel that he had enrolled in an inpatient treatment program for substance abuse which was to begin on December 23, 2001. The Order further recounted that, prior to surrendering his license, respondent had been served with an administrative subpoena requiring that he produce patient records for some seven patients (identified as family members or neighbors of respondents) for whom respondent had written

prescriptions for Vicodin, a schedule III controlled dangerous substance; following service of the subpoena, respondent represented that he had not in fact maintained any patient records for any of the seven individuals identified in the subpoena.

The Consent Order provided that respondent could seek reinstatement of licensure after a period of six months elapsed. The Order further provided that, in such event, respondent was to appear before a Committee of the Board and demonstrate, *inter alia*, fitness to resume practice.

Respondent appeared before a Preliminary Evaluation Committee of the Board on June 26, 2002, at which appearance he was represented by Steven I. Kern, Esq., and accompanied by Louis E. Baxter, Executive Medical Director of the Physicians' Health Program. Respondent testified concerning his prior use and abuse of controlled dangerous substances, his participation with the PHP and the treatment he has received for his chemical dependency since surrendering his license. Respondent stated that he entered the William J. Farley Institute in December 2001 for treatment of chemical dependency, and that he spent three months as an in-patient at the Farley Institute receiving intensive treatment. Dr. DeMuro stated that he had never recognized the depth of his disease before being treated at Farley. Since being released from

Farley, respondent has cooperated with and been monitored by the PHP, to include meeting with program representatives on a monthly basis and submitting to random, twice-weekly urine monitoring. Respondent attended 90 meetings of Alcoholics Anonymous in 90 days following his release from Farley, and has since attended five meetings of AA a week.

Respondent has also participated in a weekly physicians recovery group run by Arnold M. Washton, Ph.D. Dr. Washton submitted a letter to the Board wherein he stated that respondent had an excellent prognosis for continuing in recovery from his chemical dependency and opined that respondent appeared ready to return to medical practice. The Board additionally was provided with a letter from respondent's treating psychiatrist, Matthew S. Pitera, M.D., regarding medication that Dr. Pitera had prescribed for respondent. Dr. DeMuro testified that, should his license be reinstated, he intends to assume a position as Medical Director at Bartley Health Care, a 220 bed extended care facility located

is satisfied that respondent has successfully begun to address his chemical dependency by receiving treatment and participating with the PHP, the Board simultaneously concludes that his prior misconduct supports the entry of a formal reprimand, and that the misconduct dictates the present entry of a restriction that respondent not be authorized to prescribe controlled dangerous substances.

Upon review of available information, to include respondent's testimony, the testimony offered by Dr. Baxter, the written position statement of the PHP, and the written statements submitted by respondent's counselor, the Board is satisfied that respondent has made all demonstrations of present fitness to resume the practice of medicine required by operation of the December 13, 2001 Consent Order. The Board thus concludes that cause exists at this time to reinstate respondent's licensure, provided that said relicensure is subject to all conditions imposed below. The Board finding that the restrictions set forth herein are adequately protective of the public health, safety and welfare, and finding that good cause exists for the entry of the within Order,

IT is hereby ORDERED and AGREED,

on this 25<sup>th</sup> day of October, 2002

1. The license of respondent Peter DeMuro, D.O., to practice medicine and surgery in the State of New Jersey is hereby reinstated, contingent upon respondent's compliance with all terms and conditions set forth below.

2. Respondent is hereby formally reprimanded for having written prescriptions for controlled dangerous substances for himself and for family members in circumstances where the prescriptions were not written for any legitimate medical purpose, but instead were written to facilitate respondent's obtaining controlled dangerous substances to support his own addiction thereto.

3. Respondent shall pay investigative costs, which costs were incurred by the Board during an investigation of respondent's prescribing practices prior to the time respondent surrendered his license, in the amount of \$2,614.34.

4. Respondent is hereby precluded from prescribing or dispensing any controlled dangerous substances.

5. Respondent shall ensure that he complies with the requirements of all rules and regulations of the Board, to include without limitation N.J.A.C. 13:35-6.5, and shall maintain patient records for all individuals treated.

6. Respondent shall maintain absolute abstinence from all psychoactive substances, unless any such substances are prescribed

by a treating physician for a documented medical condition, and provided further that said treating physician provides written notification to the Executive Medical Director of the PHP concerning the prescription being written and the reasons why the prescription is deemed necessary.

7. Respondent shall participate in monthly, face-to-face visits with representatives of the PHP staff, for one year from the date of entry of this Order. For one year thereafter, respondent shall participate in face-to-face visits once every two months with a representative of the PHP staff. Thereafter, respondent shall continue to participate in visits with representatives of the PHP, on a schedule to be set at the discretion of the Executive Medical Director of the PHP.

8. The PHP shall conduct random, urine monitoring no less frequently than twice a week for the first twelve months following respondent's relicensure, and shall, for a period of one year thereafter, conduct random urine monitoring no less frequently than once a week. After two years of random urine testing, further random testing shall be conducted on a schedule determined by the Executive Medical Director of the PHP consistent with respondent's duration in recovery.

9. Respondent shall attend meetings of the support group Alcoholics Anonymous no less frequently than three times per week.

Respondent shall document his attendance at said meetings, which documentation shall be made available to the Executive Medical Director of the PHP.

10. Respondent shall continue to participate in the physicians' weekly aftercare session which he currently attends conducted by Dr. Arnold Washton (or by any therapist who may hereafter succeed Dr. Washton in conducting the group), on a schedule directed by Dr. Washton, until such time as he is discharged by Dr. Washton. Respondent shall authorize Dr. Washton to provide written semiannual reports to the Board concerning respondent's participation and progress in the aftercare sessions, and to provide immediate notification to the Board in the event that respondent shall discontinue participation in treatment prior to discharge or in the event Dr. Washton receives information that respondent has suffered a relapse of substance abuse.

11. Respondent shall continue to receive treatment from a psychiatrist approved by the Board, which psychiatrist shall monitor any psychiatric medications prescribed for respondent, until such time as he is discharged by the treating psychiatrist. For purposes of this Order, Matthew J. Pitera, M.D. is recognized as an approved psychiatrist. Respondent shall authorize Dr. Pitera or any subsequent treating psychiatrist to provide immediate notification to the Board in the event that respondent